

VOTER INTENT

INTRODUCTION

After receiving inquiries regarding various ballot measures that were either approved or failed, the 2001-2002 Grand Jury (Jury) investigated the actions of several affected agencies. After review, no illegal actions were apparent; however, it appeared that the “intent” of the voter was not being respected. It was decided to gather the various measures together under the title Voter Intent.

APPROACH

The Jury decided to review the various ballot measures to determine if the intent of the voter, as expressed at the polls, had been carried out. The Elections Division of the County Clerk’s office supplied the Jury with a complete listing of all ballot measures from 1987 thru 2000. The list was reviewed for candidate measures to check the effect of the voter’s expressed intent upon the various agencies. Several measures were selected to inquire into the results and actions taken by the affected agencies. These measures are:

- County Bonds. Are not utilized in this County because several state measures have made it quite difficult to secure voter approval (super majority) of a ballot measure approving general use bonds. The Board of Supervisors (BOS) continues to make use of Certificates of Participation to fund various capital requirements and to avoid bond issues.
- Measure C 2000 (November 7, 2000) – Santa Maria Joint Union High School District Bonds. A \$30 million bond to build a new high school and to update many other schools. This measure was approved and the District is well into execution of most of their plan. The high school construction has experienced some delay due to land procurement.
- Measure K98 and O98 (November 3, 1998) – Native Oak Protection and Alternative Native Oak Protection – both measures failed to be approved which may indicate that a majority of the voters do not want an Oak Protection ordinance.
- Measure I98 (June 2, 1998) – Santa Barbara Elementary School District Bond. This \$25 million bond was approved to fund construction of a new school at the Hidden Valley site and make several improvements at various elementary schools. Since that time, the District has replaced many of the older portable classrooms at various schools and has also contracted for the electrical, plumbing and roofing repairs. Almost four years later, little has been done towards construction of the new school in Hidden Valley.
- Measure H94 (November 8, 1994) – Mission Hills Community Services District Monthly Sweeping of Public Streets. Since approval, the District has implemented the street sweeping.
- Measure G92 (June 2, 1992) – Public Mass Transit Funding Santa Barbara County. Several documents indicate the involvement of Santa Barbara County Association of

Governments (SBCAG) in the placement of Proposition G92 on the ballot. The voters overwhelmingly approved this ballot measure. This ballot measure enables Santa Barbara County to be eligible to receive state fuel taxes for expenditure on public mass transit guideway projects and other related transportation improvements. Approval of this measure authorized an appropriation of an estimated \$800,000 per year to study the feasibility of a transportation system to partially relieve road traffic in the Santa Barbara County road system. Funding would come from state approved programs for use of gasoline tax revenue. The counties must make application for specific projects under this program.

- Measure D (November 7, 1989) – County Transportation Improvements Financing Transactions and Use Tax. Seventy percent of the revenues are allocated to each city and county to maintain, reconstruct and improve local roads/bikeways and support public transit. The remaining 30 percent is to be used for construction of 15 highway projects. Fourteen of the projects are completed or nearly completed. Only Highway 101 widening to six lanes is still in the conceptual stage after the first 12 years of the 20 year tax.

FINDINGS AND RECOMMENDATIONS

Finding 1: The Board of Supervisors (BOS) has continued to make use of Certificates of Participation to fund various capital requirements and to avoid bond issues. This past year has seen a 75% increase of the existing General Long-Term Debt from \$39.6 million¹ to approximately \$70 million, without any endorsement by County voters.

Finding 2: The voters did not approve either Measure K98 or O98 version of the County Native Oak Protection ordinance. The Board of Supervisors requesting that their ordinance personnel develop an Oak Tree Protection measure followed this vote of no ordinance. This effort is presently continuing under a voluntary two-year test program.

Finding 3: A review of Measure D (½ cent sales tax for roads) shows that the majority of the items enumerated in the ballot measure are being implemented with the exception of the Highway 101 widening. Only \$6.4 million of the proposed \$15 million has been allocated. In October 1996, the Santa Barbara County Association of Governments (SBCAG) Board, in a procedure which was legal, voted to transfer \$6 million from the funding for the Highway 101 widening to Local Programs.

Finding 4: I98, a bond measure for the Santa Barbara Elementary School District, was passed to fund improvements to various elementary schools and build an alternate school in Hidden Valley.

¹ Page 112 of County of Santa Barbara, Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2001.

Finding 5: I98 funds have been spent on improvements at various elementary schools; however, no definitive work (site or plans) has been done on the Hidden Valley school since approval of I98 in 1998.

Finding 6: The SBCAG could only identify one project receiving gasoline tax funds, per the G92 ballot measure, over the 10 years since approval. The Metropolitan Transit District applied for and received a grant for the procurement or modification of four busses from diesel fuel to electric busses.

Recommendation 1: The Board of Supervisors should reconsider the use of Certificates of Participation to fund long-term capital projects.

Recommendation 2: The Board of Supervisors should reevaluate the use of critical resources within the Planning and Development Department to develop an Oak Tree ordinance, which the majority of voters have refused to approve two times.

Recommendation 3: Santa Barbara County Association of Governments should concentrate on solving the many local problems and enable the California Department of Transportation to begin the widening process of Highway 101. The current traffic congestion is causing undue hardship, air pollution, noise pollution and injury to many citizens.

Recommendation 4: Santa Barbara Elementary School District should begin (four years after the bond issue) the process of designing and building the new school as was voted for by the citizens in measure I98.

Recommendation 5: The SBCAG should assist their members to aggressively pursue projects using state gasoline tax under ballot measure G92. Developing a monitoring system to track special gasoline tax funded projects should follow this.

AFFECTED AGENCY

Board of Supervisors

Finding 1, 2, 3

Recommendation 1, 2

Santa Barbara County Association of Governments

Finding 3, 6

Recommendation 3, 5

Santa Barbara Elementary School District

Finding 4, 5

Recommendation 4

